

## Message Text

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ORIGIN NEA-02

INFO OCT-01 ISO-00 IO-01 /004 R

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FM SECSTATE WASHDC

TO AMEMBASSY NEW DELHI

C O N F I D E N T I A L STATE 270955

REF: NEW DELHI 16371

FOLLOWING REPEAT USUN 5805 ACTION SECSTATE INFO MEXICO  
PARIS COPENHAGEN LONDON TOKYO LUXEMBOURG BRUSSELS  
DUBLIN BONN OTTAWA ROME MADRID OSLO THE HAGUE VIENNA  
TEL AVIV GENEVA OECD PARIS EC BRUSSELS 7 DECEMBER.

QUOTE

C O N F I D E N T I A L USUN 5805

E.O. 11652: GDS

TAGS: UN, EGEN,UNCTAD

SUBJ: CHARTER OF ECONOMIC RIGHT AND DUTIES AND STATES (CERDS)

BEGIN LIMITED OFFICIAL USE

1. SUMMARY. IN FRIDAY 6 DEC PM MEETING OF COMITE 2 CERDS WAS  
ADOPTED BY VOTE OF 115-6 (US)-10. EXPLANATIONS OF VOTE  
REMAIN TO BE MADE IN  
NIGHT MEETING 6 DECEMBER. END SUMMARY.

2. CERDS WAS CONSIDERED BY COMITE 2 DURING MORNING AND AFTERNOON  
MEETINGS 6 DEC. MEXICAN PERM REP (GARCIA ROBLES) INTRODUCED  
G-77 CERDS TXT (A/C.6/L.1386) AND AGREED GROUP OF 77  
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G-77 ) REVISION (A/C.6/L.1386/CORR.6) TO G-77 TEXT.

GARCIA ROBLES ALSO REPORTED TWO ORAL AMENDMENTS TO G-77 TEXT, MOTS NOTABLE OF WHICH WAS REVISION OF LAST PREAMBULAR PARAGRAPH OF CERDS TO READ AS FOLLOWS: "THE GENERAL ASSEMBLY SOLEMNLY ADOPTS THE PRESENT CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES". GARCIA ROBLES SAID G-77 HAD NOT BEEN CONSULTED ON ORAL AMENDMENTS AND ASKED COMITE 2 CHAIRMAN TO ASK WHETHER G-77 COULD UNANIMOUSLY ACCEPT THE ORAL REVISIONS. CHAIRMAN DID SO, AND BY THEIR SILENCE, G-77 APPROVED AMENDEMTS.

3. COMITE PROCEEDED TO CONSIDER WESTERN STATES PROPOSAL (A/C.2/L.1410)

TO DEFER COMITE 2 CONSIDERATION OF CERDS AND TO HAVE MEMBERS OF UNCTAD WORKING GROUP OF 40 CONTINUE THEIR EFFORTS AT NEGOTIATION. WITHOUT OBJECTION OF ANY DELS, PROPOSAL WAS GIVEN PRIORITY OVER OTHER PROPOSALS. AFTER INTRODUCTION BY FRANCE (ROUGE) PROPOSAL WAS VOTED ON AND REJECTED

BY 20(US)-81-15 RECORDED VOTE.

4. COMITE THEN PROCEEDED TO CONSIDER WESTERN STATES AMENDMENTS TO G-77 TEXT. AMENDMENTS, OF WHICH US WAS A CO-SPONSOR, WERE VOTED ON (EXCEPT FOR AMENDMENTS WITHDRAWN IN LIGHT OF G-77 REVISIONS) AND REJECTED, GENERALLY BY VOTE OF 14-20 IN FAVOR, AND 80-100 AGAINST, THE REMAINDER ABSTAINING. ALL VOTES WERE RECORDED.

5. COMITE THEN CONSIDERED G-77 TEXT OF CERDS ON PARA BY PARA BASIS. VOTE ON EACH PARA WAS RECORDED. EACH PARA OF G-77 TEXT (A/C.2/L.1386, AS REVISED BY A/C.2/L.1386 AND MEXICO ORAL AMEMNDMENTS) WAS ADOPTED, OCCASIONALLY BY UNANIMITY. US VOTED AGAINST SEVERAL PROVISIONS, NOTABLY ARTICLE 2(PERMANENT SOVEREIGNTY, EXPROPRIATION, STANDARD OF COMPENSATION).

6. UPON COMPLETION OF PARA BY PARA VOTES COMITE PROCEEDED TO TAKE ROLL-CALL VOTE (AT REQUEST OF MEXICO) ON CHARTER OF A WHOLE. CERDS ADOPTED BY VOTE OF 115-6-10. NEGATIVE VOTES WERE CAST BY: US, BELGIUM, DENMARK, FRG, UK AND LUXEMBOURG. ABSTENTIONS WERE CAST BY : AUSTRIA, CANAD, FRANCE, IRELAND, ISRAEL, ITALY, JAPAN, NETHERLANDS, NORWAY, AND SPAIN. COMITE 2 ADJOURNED AFTERNOON

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MEETING AT 6 P.M. AND SECHEDULED 6 DEC 8 P.M. MEETING FOR EXPLANATION OF VOTES. US IS INSCRIBED TO GIVE EXPLANATION OF VOTE.

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7. AT END OF AFTERNOON MEETING ROUGE (FRANCE) IN EXPRESSING APPRECIATION FOR USG VOTE IN FAVOR OF RES TO POSTPONE CERDS TO 1975, REPORTED THAT GHOSE (INDIA) TOLD HIM THAT THE BESTMAJORITY

OF THE G-77 ACTUALLY FAVORED THE PROPOSAL FOR POSTPONEMENT, BUT LACKED THE COURAGE TO VOTE THEIR CONVICTIONS IN VIEW OF BITTERNESS OF MEXICAN OPPOSITION TO CONTINUATION OF NEGOTIATIONS TO 1975.

8. IN ANOTHER POST MEETING EXCHANGE, SOVIET DEL THANKED US DEL FOR VOTING YES ON "PEACEFUL COEXISTENCE" LANGUAGE AND SAID THAT THIS POSITIVE STEP WOULD EBE APPRECIATIVELY REPORTED TO MOSCOW.

9. ACTION RECOMMENDED: MISSION RECOMMENDS DEPT. REQUEST AMEMBASSIES PARIS AND TOKYO TO REQUEST FRANCE AND JAPAN, TO CHANGE THEIR VOTES, WHEN CHARTER COMES TO PLENARY (PROBABLY 10 DEC, ) FROM ABSTENTION TO NEGATIVE. EMBASSIES SHOULD STRESS THAT MAJORITY OF EC-9 VOTED NEGATIVELY ON CHARTER AS A WHOLE, AND THEREFORE THE CASE FOR FRANCE AND JAPAN VOTING NEGATIVELY ON CHARTER AS A WHOLE IS ALL THE STRONGER. SCALI UNQUOTE INGERSOLL

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## Message Attributes

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